

**Remarks/Arguments:**

Claims 1-17 are pending in the instant application. In the Office Action dated June 7<sup>th</sup>, 2004, the Examiner has rejected claims 1 and 7 under 35 U.S.C. § 112, first paragraph, as lacking antecedent basis for an instance of the term “the subscriber”. The Examiner has rejected claims 1-5 and 7-17 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,473,671 to Partridge, III (hereinafter, Partridge) in view of International Publication No. WO 98/05153 to Alperovich et al (hereinafter, Alperovich), and has further rejected claim 6 as obvious in view of the combination of Partridge, Alperovich, and U.S. Patent No. 6,487,600 to Lynch (hereinafter, Lynch).

Claims 1 and 4-17 are amended herein. Each amended claim includes a format change to eliminate the term “characterized in that”. Claims 12, 15 and 17 include claim elements that are re-ordered for clarification, the re-ordering resulting from elimination of the “characterized” term. None of the above are deemed narrowing or done for reasons related to patentability. Claims 1, 12, 15 and 17 introduce the terms first and second subscribers to better clarify the different subscribers to which the claim elements apply.

Respecting the rejection under 112, the text of the Office Action recites that claims 1 and 7 are rejected under this provision, but cites only to a lack of antecedent basis at page 2, line 13 of the Applicant’s previous Amendment (dated March 22, 2004). Page 2 of that previous Amendment recites claim 1 only, and no lack of antecedent basis is seen in claim 7 as recited in that previous Amendment. The Applicant therefore assumes the rejection under 112 refers only to claim 1 of that previous Amendment. Should this assumption be in error, the undersigned respectfully requests at least a telephonic notification that this assumption is erroneous, and a clarification of any indefiniteness rejection that is not addressed herein. As to claim 1, antecedent basis appears to be present at page 2, lines 11-12 of that previous Amendment (the claim 1 clause beginning “storing in the system...”). The addition of the modifiers “first” and “second” preceding the term “subscriber” is therefore not done for reasons related to patentability, in claim 1 or any other claim.

The independent claims consist of claims 1, 12, 15 and 17. The Applicants submits that each is patentable over the combination of Partridge with Alperovich at least because neither reference, alone or in combination, teaches or suggests “*determining whether the caller*

*identity of an incoming forwarded call belongs to the allowed identities by comparing the caller identity with said set of caller identities, in response to receiving the call establishment signaling in the network element,”*, as recited in claim 1 and similarly or identically in the other independent claims.

Partridge discloses a system for restricting incoming calls in a situation where call forwarding has been defined from an original called subscriber to a mobile subscriber. The original called subscriber and the mobile subscriber are typically the same actual person. A list of allowed caller identities is defined for the original called subscriber. The list is stored in association with subscriber data that is maintained in a subscriber switch or equipment, which receives incoming calls on behalf of the original called subscriber. Whenever there is an incoming call for the original called subscriber, it is checked if the caller identity belongs to the list of allowed caller identities. If the caller identity passes the test, the call is forwarded to the mobile subscriber. Thereupon, the call is routed to a cellular network. Partridge is not seen to deal with the issue of forwarding an incoming forwarded call.

Alperovich discloses a method and equipment, by means of which is possible to selectively bar incoming forwarded calls. In the method a switch registers the forwarding number from the last received call. The subscriber can request the forwarding number from the last received call or call attempt to be recorded on a list of disallowed forwarders. Subsequently, forwarded calls where the forwarding number belongs to the list of disallowed forwarders are rejected. One salient difference between Alperovich and the patent application at hand is that Alperovich relies on the identity of the forwarder, not on the caller. This entails certain problems avoided by the method claimed in the patent application at hand, namely that the forwarding number may not be carried in all call signaling systems such as analog call signaling system, for instance, pulse signaling. Most simple call signaling systems only carry the dialed number.

Partridge fails to disclose that it is checked whether a call is already forwarded before it is checked whether the caller identity belongs to the allowed identities. Partridge fails to deal with a problem, which arises when calls are forwarded by a third party accidentally to a mobile subscriber. Any calls forwarded by the third party directly to the destination

subscription number are not caught by the system disclosed by Partridge, because the restriction is handled while processing the call on behalf of the original called subscriber.

Partridge in view of Alperovich fails to disclose *determining whether the caller identity of an incoming forwarded call belongs to the allowed identities by comparing the caller identity with said set of caller identities*, because the combination of Partridge and Alperovich would rely on the identity of the forwarder in a forwarded call instead of the caller identity. This is true because Alperovich relies on the forwarder's identity, and Partridge fails to address handling forwarded calls. For at least the above reasons, the Applicants respectfully submit that each of the independent claims are not obvious over the combination of Partridge with Alperovich.

Claims 2-11, 13-14 and 16 depend on claims 1, 12 and 15 respectively, either directly or via intervening claims, and are therefore also patentable over Partridge in view of Alperovich. For all of the foregoing reasons, it is respectfully submitted that all of the claims present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested.

Respectfully submitted:

  
Gerald J. Stanton  
Reg. No.: 46,008

Customer No.: 29683  
HARRINGTON & SMITH, LLP  
4 Research Drive  
Shelton, CT 06484-6212

Phone: (203) 925-9400  
Facsimile: (203) 944-0245  
Email: gstanton@hspatent.com

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Date

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September 2, 2004  
Date

  
Ann Okrentowich